

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, }  
Plaintiff, } Magistrate Case No.: **'08 MJ 8653**  
v. } COMPLAINT FOR VIOLATION OF  
Gilbert Brian VILLANUEVA, } 21 U.S.C. § 952 and 960  
Defendant. } Importation of a Controlled Substance  
(Felony)

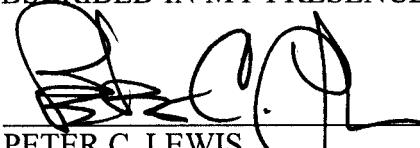
The undersigned complainant being duly sworn states:

That on or about July 16, 2008, within the Southern District of California, defendant Gilbert Brian VILLANUEVA did knowingly and intentionally import approximately 16.38 kilograms (36.03 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Rosalinda Estrada, Special Agent  
Immigration and Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17<sup>th</sup> DAY  
OF JULY 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA  
2 v.  
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Gilbert Brian VILLANUEVA  
4

#### STATEMENT OF FACTS

This Statement of Facts is based on the reports, documents, and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Rosalinda Estrada.

On July 16, 2008, at approximately 1308 hours, Gilbert Brian VILLANUEVA attempted to enter the United States from the Republic of Mexico through the Calexico, California, West Port of Entry. VILLANUEVA was the driver, registered owner, and sole occupant of a 2003 Chevrolet Silverado bearing CA/US license plate 7C15315.

During a pre-primary roving operation, Canine Enforcement Officer (CEO) J. Jones received a positive alert from his assigned Human Narcotics Detector Dog (HNDD).

During primary inspection, Customs and Border Protection Officer (CBPO) O. Tavizon received a negative Custom's declaration from VILLANUEVA. CBPO Tavizon escorted VILLANUEVA and the vehicle to the vehicle secondary lot for further inspection.

During secondary examination, CBPO Parker received a negative oral Custom's declaration from VILLANUEVA. When CBPO Parker inquired about the vehicle, VILLANUEVA stated the vehicle was registered in his name. VILLANUEVA further stated he was going to El Centro, California.

Upon further inspection of the vehicle, CEO J. Jones discovered fifteen (15) packages concealed inside a specially-built compartment under the center console. CEO J. Jones probed one of the packages. The package contained a white powdery substance that field-tested positive for cocaine. The 15 packages had a combined weight of approximately 16.38 kilograms (36.03 pounds).